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23 J. R. SIMPLOT COMPANY and
24 JASON WILLARD

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28 UNITED STATES DISTRICT COURT
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30 EASTERN DISTRICT OF CALIFORNIA

31 AARON DELGADO

32 Plaintiff,

33 v.

34 J. R. SIMPLOT COMPANY, a Nevada
35 corporation, JASON WILLARD, an
36 individual, and DOES 1 through 20, inclusive,

37 Defendants.

38 Case No. 1:23-cv-00214-ADA-EPG

39 ORDER RE: STIPULATION AND TO
40 EXTEND BRIEFING SCHEDULE ON
41 PLAINTIFF'S MOTION FOR REMAND AND
42 DEFENDANTS' PARTIAL MOTION TO
43 DISMISS

44 (ECF No. 13).

1 Plaintiff Aaron Delgado (“Plaintiff”) and Defendants J. R. Simplot Company and Jason
2 Willard (“Defendants”) hereby stipulate and agree as follows:

3 WHEREAS, on February 27, 2023 Defendants filed their Partial Motion to Dismiss. ECF
4 Dkt. 8.

5 WHEREAS, on February 27, 2023 Plaintiff filed his Motion for Remand. ECF Dkt. 9.

6 WHEREAS, on March 6, 2023, Plaintiff filed his Opposition to Defendants’ Partial Motion
7 to Dismiss. ECF Dkt. 11.

8 WHEREAS, on March 8, 2023, the Court assigned the pending motions to Magistrate Judge
9 Erica P. Grosjean. ECF Dkt. 12.

10 WHEREAS, Defendants’ deadline to file their Opposition to Plaintiff’s Motion for Remand
11 is March 13, 2023.

12 WHEREAS, Defendants’ deadline to file their Reply to Plaintiff’s Opposition to Defendants’
13 Partial Motion to Dismiss is March 16, 2023.

14 WHEREAS, Defendants intend to file Opposition to Plaintiff’s Motion for Remand and
15 Reply to Plaintiff’s Opposition to Defendants’ Partial Motion to Dismiss.

16 WHEREAS, Plaintiff intends to file Reply to Defendants’ forthcoming opposition to
17 Plaintiff’s Motion for Remand.

18 WHEREAS, the undersigned counsel for Defendants and her family have been very ill thus
19 requiring additional time to prepare and file the above-mentioned briefing.

20 WHEREAS, in order to allow the parties sufficient time to complete briefing on the pending
21 Plaintiff’s Motion for Remand and Defendants’ Partial Motion to Dismiss, the parties require
22 additional time.

23 THEREFORE, the Parties to the above-captioned matter hereby stipulate and agree as
24 follows:

25 1. Defendants’ deadline to file Opposition to Plaintiff’s Motion for Remand shall be
26 extended by ten (10) calendar days to March 23, 2023.

27 2. Defendants’ deadline to file Reply to Plaintiff’s Opposition to Defendants’ Partial Motion
28 to Dismiss shall be extended by ten (10) calendar days to March 27, 2023.

3. Plaintiff’s deadline to file Reply to Defendants’ forthcoming Opposition to Plaintiff’s

1 Motion for Remand shall be extended by ten (10) calendar days to April 6, 2023.

2 IT IS SO STIPULATED ON THE DATES INDICATED BELOW.

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4 DATED: March 10, 2023

BRYANT WHITTEN, LLP

5 By: /s/ Shelley G. Bryant

6 Shelley G. Bryant

7 Attorneys for Plaintiff, Aaron Delgado

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9 DATED: March 10, 2023

OGLETREE, DEAKINS, NASH, SMOAK &
10 STEWART, P.C.

11 By: /s/ Elizabeth A. Falcone

12 Elizabeth A. Falcone

13 Attorneys for Defendants J. R. Simplot Company
14 and Jason Willard

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ORDER

Based on the parties' stipulation, IT IS HEREBY ORDERED that:

1. Defendants' deadline to file Opposition to Plaintiff's Motion for Remand shall be extended by ten (10) calendar days to March 23, 2023.
2. Defendants' deadline to file Reply to Plaintiff's Opposition to Defendants' Partial Motion to Dismiss shall be extended by ten (10) calendar days to March 27, 2023.
3. Plaintiff's deadline to file Reply to Defendants' forthcoming Opposition to Plaintiff's Motion for Remand shall be extended by ten (10) calendar days to April 6, 2023.
4. Further, the Court will convert the scheduling conference currently set for April 20, 2023, at 11:00 am in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean to a hearing on the pending motion to remand and partial motion to dismiss. To participate telephonically, the parties are directed to use the following dial-in number and passcode: **1-888-251-2909; passcode 1024453**. The Court will reset the scheduling conference, if necessary, pending a final order regarding the motion to remand.

IT IS SO ORDERED.

Dated: **March 14, 2023**

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE